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AUG 03 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/632,485	08/01/2003	Paul J. Cahill	7613-90318

 Thomas W. Tolpin  
 22nd Floor  
 120 South Riverside Plaza  
 Chicago, IL 60606-3945

CONFIRMATION NO. 3000

## FORMALITIES LETTER



\*OC000000012848438\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.  
*Applicant must submit \$ 21 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$9 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$95 for a Small Entity

- \$21 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$9
  - \$9 for 1 total claims over 20.

 Adjustment date: 08/05/2004 MAHMED1  
 08/05/2003 KZEWDIE 00000005 10632485  
 01 FC:2001 -364.00 OP

 08/05/2004 MAHMED1 00000063 10932485  
 01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP  
 03 FC:2202 9.00 OP

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



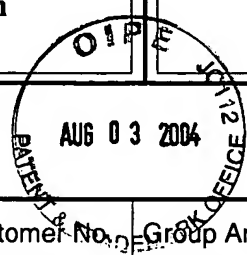
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
7613-90318



In Re Application Of:

Paul J. Cahill, et al

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/632,485	08/01/2003	Patricia A. Short	24628	1712	3000

Invention:

**COMPOSITES FOR RAILROAD TIES AND OTHER PRODUCTS**

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
August 3, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

In response to PTO Notice of Missing Parts, all additional fees were authorized to be charged to our deposit account on the original transmittal form, no surcharge should be charged.

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**7613-90318**

In Re Application Of:

**Paul J. Cahill, et al**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
<b>10/632,485</b>	<b>08/01/2003</b>	<b>Patricia A. Short</b>	<b>24628</b>	<b>1712</b>	<b>3000</b>

Invention:

**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

☐ Completion of application fees as calculated below:

☒ Utility application filing fee \$21.00

☐ Design application filing fee                     

☐ Total number of independent claims =                                          

☒ Total number of claims = 1 \$9.00

☐ Multiple dependent claims                     

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor                     

☐ Fee for processing an application filed with a non-English language specification                     

☐ Fee for processing and retention of application                     

Total completion of application fees \$95.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from:                      Date      until:                      Date

Total time extension fees                     

Total fees due \$95.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
7613-90318

In Re Application Of:

Paul J. Cahill, et al

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/632,485	08/01/2003	Patricia A. Short	24628	1712	3000

Invention:

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$95.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 230920

  
Signature

Thomas W. Tolpin  
Reg. No. 27,600  
Attorney for Applicant

Dated: August 3, 2004

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

## **Certificate of Express Mailing**

**Express Mail** mailing label number: EL 995604445 US

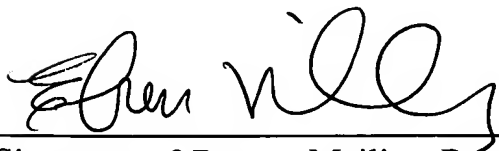
Date of Deposit: August 3, 2004

I hereby certify that this paper is being deposited with the United States Postal Service Express Mail Post Office to Addressee. Service under 37 CFR 1.10 is on the date indicated above and addressed to: Mail Stop Missing Parts, Commissioner for Patents, P O Box 1450, Alexandria, Virginia 22313-1450.

The person mailing this paper is:

Efren Villagomez

Typed or Printed Name of Person Mailing Paper or Fee

A handwritten signature in black ink, appearing to read 'Efren Villagomez', written over a horizontal line.

Signature of Person Mailing Paper or Fee

U.S. Patent Application of Cahill  
Title: Composites For Railroad Ties And Other Products  
Serial No.: 10/632,485  
Filed: August 1, 2003  
Express No. EL 995604445 US

TWT/snw  
August 3, 2004  
Attorney Docket No. 7613-90318  
Group Art Unit: 1712  
Examiner: Patricia A. Short  
Confirmation No. 3000

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Certificate of Express Mailing; Reply to Notice of File Missing Parts of Non-provisional Application and check for \$95 to US Patent Office: Prepaid Return Postcard

Box: Mail Stop Missing Parts  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Please acknowledge receipt of the above-identified document by applying the Patent and Trademark Office receipt hereto and mailing this card.

Respectfully,

Welsh & Katz, Ltd.